

FILED
IN THE UNITED STATES DISTRICT COURT, DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA, MIDDLE GEORGIA
ALBANY DIVISION

2009 SEP 30 PM 2 55

B. Pittman

CHARLIE BRANNER,

Petitioner,

vs.

RANDY K. TILLMAN, Warden,

Respondent.

CASE NO.: 1:08CV-143 (WLS)

ORDER

Before the Court is a Recommendation from United States Magistrate Judge Richard L. Hodge (Doc. 23) filed August 7, 2009. It is recommended that Respondent's Motion to Dismiss (Doc. 10) moving that Petitioner's petition for federal habeas relief be dismissed as untimely pursuant to 28 U.S.C. § 2244(d) of the AEDPA be granted. As of the entry of this order no objection has been filed.¹

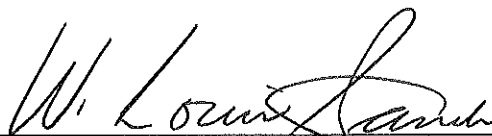
Upon full review and consideration upon the record, the Court finds that said Recommendation should be, and hereby is, ACCEPTED, ADOPTED and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Respondent's Motion to Dismiss Petitioner's petition for

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The parties were allowed ten (10) days to file objections pursuant to 28 U.S.C. § 636((b)(1)

federal habeas relief as untimely is GRANTED. Petitioner's petition is DISMISSED as untimely.

SO ORDERED, this 30th day of **September, 2009**.

A handwritten signature in black ink, appearing to read "W. Louis Sands", is written over a horizontal line.

W. LOUIS SANDS, JUDGE
UNITED STATES DISTRICT COURT